

## LABOR COMPLIANCE PROGRAM ANNUAL REPORT

*Suggested Format for Awarding Body that enforces its own Labor Compliance Program for all projects (Labor Code §1771.5(a))*

Report for the reporting period 07/01/2009 to 06/30/2010  
(mm/dd/yyyy) (mm/dd/yyyy)

1. Name of Labor Compliance Program (LCP): **Covina Valley Unified School District**

3. Date of Initial Approval: **July 22, 2003**

2. LCP I.D. Number (assigned by DIR): **2003.00298**

4. Contact person (include name, title, address, telephone, fax, and e-mail, if available):

**Robert J. Macauley, Labor Compliance Officer**

**519 E. Badillo Street**

**Covina, CA 91723**

**(626) 974-7600 x 2150 Office (626) 974-7032 Fax**

5. Did LCP perform any LC § 1771.5 enforcement activities during the 12 months in the reporting period?

Please check one:

☒ **YES**

If Yes, proceed to item 6 on the next page

☐ **NO**

If No, complete the information below, sign the form and submit to DIR, Office of the Director, Attn: LCP Special Assistant,

455 Golden Gate Avenue, 10th Floor, San Francisco CA 94102

What suggestions do you have for the Department of Industrial Relations to better assist you with your program in the coming year? (attach additional sheets if necessary) Please make this form **INTERACTIVE** like the **DAS-140 form** so it will be easier to use. Thank you.

SUBMITTED BY:

*RS*

*Macaulay*  
Signature

Robert J. Macauley, Labor Compliance Officer  
Name and Title

June 22, 2010  
Date

6. LC § 1771.5 enforcement activities (provide all information requested, attaching as many sheets as necessary).

A. List projects handled by LCP within the past 12 months.

Project Name	Bid Advertisement Date	Prime Contractor	Contract Amount
Las Palmas Middle School – Library Media Ctr	September 11, 2008	Chap Inc.	\$774,640.00
Sierra Vista Middle School – Library Expansion	August 7, 2008	T & Y Construction Inc.	\$2,350,000.00
Traweek Middle School – (Modular Bldg)- Library media Center	December 21, 2006	Cornerstone Concrete & Construction	\$630,000.00
South Hills HS – HS Modernization	February 17, 2009	T & Y Construction Inc.	\$2,300,000.00
Covina HS – Gym Modernization	May 25, 2009	Newman Midland Corp.	\$1,850,764.00
<b>Total</b>			\$7,905,404.00

B. List any project subject to the limited exemption clause of LC § 1771.5(a), if applicable.

Project Name	Description of Project	Contract Amount
N/A		
<b>Total</b>		

C. Summary of all wages and penalties assessed and/or recovered.

Project Name	Affected Contractor (who directly employed the worker)	Amount Assessed	Amount Recovered	Approval of Forfeiture Requested from Labor Commissioner?	Description of Violation
Covina ES – Library Media Center Part B	Correa Concrete	\$3,883.30	\$3,883.30	No	Underpayment of prevailing wages – didn't pay increases
Las Palmas MS-Library Media Ctr	Modular Structures International Inc.	\$8,452.46	Pending	No	Misclassification of workers & inconsistencies on payroll records
Traweek MS-Modular Bldg-Library Media Ctr	Modular Structures International Inc.	\$17,891.96	Pending	No	Misclassification of workers & inconsistencies on payroll records
Sierra Vista MS-Library Expansion	P & B Concrete	\$25,797.07	\$25,797.07	No	Misclassification of workers
Sierra Vista MS-Library Expansion	USA Roofing	\$5,466.18	\$5,466.18	No	Misclassification of workers & Underpayment of PW; didn't pay increase
<b>Total</b>		<b>\$61,490.97</b>	<b>\$35,146.55</b>		

D. For any amount identified in item C for which approval of forfeiture not requested from the Labor Commissioner, please explain below.

Project Name	Amount Assessed	Amount Recovered	Explanation
Covina ES – Library Media Center Part B	\$3,883.30	\$3,883.30	Inadvertent Contractor error. Contractor failed to pay stipulated predetermined increases to employees.
Las Palmas MS-Library Media Ctr	\$8,452.46	Pending	Misclassification of workers. Contractor believes duties performed fall under the scope of work of a Housemover (Laborer)
Traweek MS-Modular Bldg-Library Media Ctr	\$17,891.96	Pending	Misclassification of workers. Contractor believes duties performed fall under the scope of work of a Housemover (Laborer)
Sierra Vista MS-Library Expansion	\$25,797.07	\$25,797.07	Inadvertent Contractor error. Contractor re-classified workers and paid back wages owed
Sierra Vista MS-Library Expansion	\$5,466.18	\$5,466.18	Inadvertent contractor error. Contractor re-classified workers and paid back wages owed
<b>Total</b>	<b>\$61,490.97</b>	<b>\$35,146.55</b>	

E. For any amount identified in item C for which approval of forfeiture was requested from the Labor Commissioner, please provide the following:

Project Name	Amount Assessed					Amount Recovered				
	LC §1776(g)	LC § 1775	LC § 1813	Wages	Total	LC § 1776(g)	LC § 1775	LC § 1813	Wages	Total
N/A										
<b>Total</b>										

F. Identify cases that are or were the subject of LC § 1742 proceedings.

Project Name	Contractor	Nature of Violation	ODL Case #	Current Status
N/A				

G. Did you refer any contractor to the Labor Commissioner for debarment per LC § 1777.1?

Please check one: ☐ YES ☒ NO

If yes, identify affected contractor(s) or subcontractor(s) and date(s) of referral:

H. Did you refer any apprenticeship violation to the Division of Apprenticeship Standards (DAS)?

Please check one: ☒ YES ☐ NO

If yes, identify affected contractor(s) or subcontractor(s) and date(s) of referral: Modular Structures International Inc. June 8, 2010